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PATENT

I hereby certify that on the date specified below, this ~~correspondence~~ is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, DC 20231.

November 26, 2001
Date

Linda M. Hykes
Linda M. Hykes

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Agee et al.

Application No. : 09/920,903

Filed : August 3, 2001

For : HIGHLY BANDWIDTH-EFFICIENT COMMUNICATIONS

Docket No. : 101948023US21

Date : November 26, 2001

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Washington, DC 20231

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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts dated September 27, 2001, please find enclosed an Authorization for Extensions of Time Under 37 CFR § 1.136(a)(3), and a copy of Notice to File Missing Parts of Nonprovisional Application for the above-identified application.

The fees have been calculated as follows:

Basic Fee	\$	740.00
Total Claims (158, 138 extra)		2484.00
Independent Claims (23, 20 extra)		1680.00
Multiple Dependent Claims Surcharge		
Missing Parts Surcharge		130.00
Total	\$	5034.00

EJA

The Commissioner is hereby authorized to charge Deposit Account 50-0665 the amount of \$5,034 for the requisite fees. The Commissioner is also hereby authorized to charge any additional filing fees or to credit any overpayment to Deposit Account No. 50-0665. A duplicate copy of this response is enclosed.

Respectfully submitted,

Perkins Coie LLP



Christopher J. Daley-Watson
Registration No. 34,807

CJD:lmh

Enclosures:

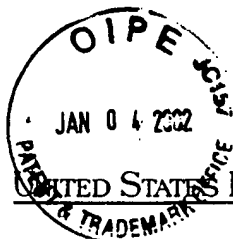
Postcard

Copy of this Response

Authorization for Extensions of Time Under 37 CFR § 1.136(a)(3)

Copy of Notice to File Missing Parts

PERKINS COIE LLP
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Seattle, Washington 98111-1247
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/920,903	08/03/2001	Brian G. Agee	4271-4036US3

CONFIRMATION NO. 8061

FORMALITIES LETTER



OC00000006801687

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154

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Date Mailed: 09/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee. (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$4084.
 - \$2484 for 138 total claims over 20.
 - \$1600 for 20 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 4924.

The following item(s) appear to have been omitted from the application:

- Page(s) 26-37 of the specification (description and claims).

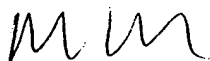
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE